

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

RAY W. METTETAL, JR.,)	
)	
Plaintiff,)	
v.)	No. 3:00-0940
)	JUDGE ECHOLS
THE VANDERBILT UNIVERSITY,)	
et al.,)	
)	
Defendants.)	

ORDER

In accordance with the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) The Report and Recommendation (“R&R”) entered by the United States Magistrate Judge on February 13, 2007 (Docket Entry No. 275) is hereby ACCEPTED IN PART and REJECTED IN PART. The Court ACCEPTS the “Background” section of the R&R setting forth the procedural history of this case and the Court incorporates that section by reference in the accompanying Memorandum. The Court REJECTS the remainder of the R&R because a change in the law which occurred shortly after the Magistrate Judge entered the R&R requires the Court to draw different legal conclusions than those drawn by the Magistrate Judge under the law as it existed at that time.

(2) The Vanderbilt Defendants’ Objections To The Magistrate Judge’s Report and Recommendation (Docket Entry No. 280) are hereby SUSTAINED.

(3) The Motion For Summary Judgment (Docket Entry No. 253) filed by Defendants Vanderbilt University, James Campbell, Allan R. Guyet, John A. Jackson III, Edna Sue Pully, Jennifer D.K. West, and Donnie Young is hereby GRANTED.

(4) The Objection To Report And Recommendation (Docket Entry No. 282) filed by Defendants Metropolitan Government of Nashville and Davidson County, Sgt. Thomas Burke, Detective Brad Putnam, and former Detective David Miller is hereby SUSTAINED.

(5) The Motion for Summary Judgment (Docket Entry No. 264) filed by Defendants Metropolitan Government of Nashville and Davidson County, Sgt. Thomas Burke, Detective Brad Putnam, and former Detective David Miller is hereby GRANTED.

(6) All claims brought by Plaintiff Ray W. Mettetal, Jr. under 42 U.S.C. § 1983 against Defendants Vanderbilt University, James Campbell, Allan R. Guyet, John A. Jackson III, Edna Sue Pully, Jennifer D.K. West, Donnie Young, Metropolitan Government of Nashville and Davidson County, Sgt. Thomas Burke, Detective Brad Putnam, and former Detective David Miller are hereby DISMISSED WITH PREJUDICE.

(7) The case is hereby returned to the Magistrate Judge for further case management concerning Plaintiff's claims brought under 42 U.S.C. § 1983 against the remaining Defendants.

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE